

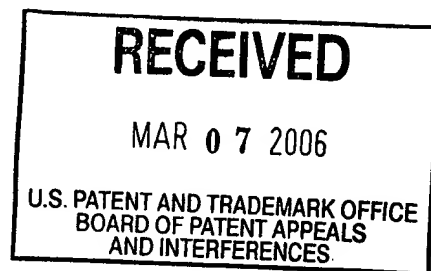


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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANT(s): Esa Harma  
SERIAL NO.: 09/881,452 ART UNIT: 2686  
FILING DATE: 6/14/2001 EXAMINER: Khawar Iqbal  
TITLE: METHOD AND ARRANGEMENT FOR DISTRIBUTING,  
EXECUTING AND CONSUMING RECREATIONAL  
APPLICATIONS IN AND BETWEEN MOBILE  
TELECOMMUNICATION DEVICES  
ATTORNEY  
DOCKET NO.: 297-010397-US (PAR)

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United States Patent and Trademark Office  
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**APPELLANTS BRIEF**

(37 C.F.R. §1.192)

This is an appeal from the final rejection of the claims in the subject application. A Notice of Appeal was mailed on January 9, 2006.

**[1] REAL PARTY IN INTEREST**

The real party in interest in this Appeal is the assignee, Nokia Corporation, Espoo, Finland.

**[2] RELATED APPEAL AND INTERFERENCES**

There are no related appeals or interferences.

### **[3] STATUS OF THE CLAIMS**

Claims 37-44 stand rejected under 35USC102(e) on the basis of the cited reference Meyers, et al, U.S. Publication No. 2004/0102249. Claims 1-36 stand rejected based on the reference Hansted, U.S. Publication No. 2002/0006826 in view of Meyers.

### **[4] STATUS OF AMENDMENTS FILED SUBSEQUENT TO FINAL REJECTION**

There were no amendments filed subsequent to final rejection.

### **[5] SUMMARY OF THE CLAIMED SUBJECT MATTER**

According to the claims, as amended, the system of this application involves the features as shown in figure 1. The applicant's invention concerns a device, system, method, and software product in which a user of a terminal of a wireless network may call another user to a common session of executing recreational software. To accomplish this, referring to figure 1, a first user transmits a proposal for setting up a game session, (101). After a proposal is received (105) and accepted (106), the participants must establish a game ready state (107-109) by using the communication capabilities of at least one of the terminals. In the game ready state both terminals possess the executable software components of the selected recreational application needed for setting up a common, shared session and for executing the recreational application (110).

Two basic approaches are given in the applicant's description. According to a first embodiment, the process of calling another player to the game involves delivering (108) an executable

software component of the game to the terminal of the invited player. This embodiment is described in applicant's independent claims 1, 36, 39, 41, and 43. According to a second embodiment, the executable software components of the game exist in both terminals already, but the process of inviting another player to the game involves delivering an enablement token to the terminal of the invited player, so that only after having received the enablement token the terminal is able to use the executable software of the game. This embodiment is described in applicant's independent claims 37, 38, 40, 42, and 44. It should be noted that the executable software is in each and every case the actual, dedicated recreational software; i.e. the program code of the game itself.

#### **[6] ISSUES PRESENTED FOR REVIEW**

The issues presented for review are:

A. The propriety of the Examiner's rejection of claims 37-44 under 35USC102(e) on the basis of the cited reference Meyers, et al, U.S. Publication No. 20040102249; and

B. The propriety of the Examiner's rejection of claims 1-44 under 35USC103(a) on the basis of the cited reference Hansted, U.S. Publication No. 20020006826 in view of Meyers, et al.

The rejections are contained in the Office Action mailed May 10, 2005 from which this appeal is taken.

#### **[7] Argument**

##### **Issue A**

The Meyers publication discloses a "virtual ball" game, in which

a message transmitted between wireless terminals serves as a "ball". If you receive the message, you have "caught" the ball and may "throw" it further by transmitting a message (the virtual ball) to another terminal. However, the game itself depends on the physical movements of the players. Playing the game depends on software only to the extent that the terminals must be able to receive and transmit a message. There is no mention of any application software being transferred with the "ball". Contrary to the Examiner's contention the transmittal of the message, namely the virtual ball is the whole game. There is nothing further involved that requires receiving a recreational application as required by the claims.

The virtual ball of Meyers is described in paragraph 0036 as follows:

**"Thus, according to the above, the present invention provides a method and apparatus for conducting multi-player games in a wireless telecommunications system including a wireless telecommunications network which communicates with a plurality of mobile terminals using radio signals. The objects of the games are accomplished by passing a virtual ball between the mobile terminals. The passing of the virtual ball between the mobile terminals can be accomplished by transmitting and receiving IR light signals to and from IR apparatus included as part of each mobile terminal, by placing a call through the wireless telecommunications system between mobile terminals, by transmitting a SMS message between mobile terminals by a SMSC in the wireless telecommunications system and/or by transmitting short range radio signals between mobile terminals by short range radio apparatus which operates according to the bluetooth standard. The virtual ball could, for example, include data or information such as the rules of the game and/or advertising or promotional information which are automatically displayed on the display of the mobile terminal once the virtual ball has been received. The multi-player games could, for example, be conducted where players pass the virtual ball between mobile terminals with the ultimate goal of passing the virtual ball to a goal for scoring. Alternatively, the multi-player games could, for example, be conducted where the virtual ball includes data or information which is automatically displayed on the display of**

**the mobile terminal and where the virtual ball must be passed to another player within a preset period of time entitling the user of the mobile terminal to promotional items." (emphasis added)**

The above and similar descriptions are repeated throughout the reference Meyers and there is no mention of establishing a condition where both terminals have the requisite executable recreational application. The virtual ball of Meyers is described as a message containing information that is automatically displayed. The virtual ball appears to be text containing promotional materials and rules for encouraging the further transmittal of the materials.

The Examiner characterises the reference Meyers with respect to claim 39 and others as teaching the following:

**".....in each said first and second terminal arrangements means for exchanging proposals for setting up sessions utilizing recreational application..."**

and further as teaching:

**"....using communicational capabilities of the first and second terminal arrangements to establish state where both said first and second terminal arrangements possess enough resident executable software components...for executing said recreational application."**

These statements are applied by the Examiner with respect to all of the claims, but they are not supported by the content of the reference Meyers. The virtual ball of Meyers has nothing to do with executable software. It is simply a message. Each terminal need only have an operating system that allows a message to be received and automatically displayed, in order to play the virtual ball game.

Applicant's first embodiment, as described above, may be easily distinguished from Meyers. Meyers simply does not suggest delivering executable software components at any parts of the process. All executable software must be installed, ready and operable within each terminal device concerned before any invitations to game may occur. It would appear that the only software needed is a messaging application.

The reference Meyers may be distinguished from the second embodiment of applicant's invention by comparing the initial steps of each game play. In applicant's second embodiment, the game cannot start without the transfer of an enablement token from a first player, a game server, or other sources, to a second player. In the game of Meyers the virtual ball is passed, and caught without anything, but an exchange of messages. Even if the virtual ball is only at the first terminal when Meyers' game begins, the holders of the other terminals are already actively taking part in the game, when the first player starts passing the virtual ball around. Note that since the essential part of the game of Meyers involves the players physically moving around, one actually does not need to receive the virtual ball at all in order to take part in the game in Meyers, if their position, in team tactics, happens to be strictly defensive. This is described in paragraph 24 as follows:

**"The randomly selected mobile terminal 12 upon receipt of the signal including the virtual ball can then begin the multi-player game by passing a signal including the virtual ball to a teammate. Thereafter, players on the same team cooperate to ultimately pass the virtual ball to the goal to score points. Opposing players can prevent the passing of the signal including**

**virtual ball by blocking the IR light signal with their body or using other means."**

Independent claims 1, 36, 39, 41, and 43 of the subject application require that only after the second terminal arrangement has received the proposal [to take part in the game], a state is established in which both the first and second terminal arrangements possess enough executable software components of the recreational application for setting up a common, shared session. Meyers does not disclose transmitting or receiving a proposal, because Meyers only discloses transmitting and receiving a "virtual ball" message, the transmission and reception of which is the game. Meyers does not teach anything with respect to the use of recreational software. It uses only general purpose software for handling messages.

Independent claims 37, 38, 40, 42, and 44 also require that a proposal is received at the second terminal, and only after that something happens. These independent claims also require executable software components of the recreational software. Additionally said independent claims require that only after the second terminal has received the proposal, there will be delivered an enablement token or a software component that will enable executing recreational application. Again Meyers does not teach the transmittal of proposals, and secondly Meyers' message-handling software is fully executable and available for use independently of whether a terminal has received the virtual ball or not. In other words, a terminal according to Meyers is ready and available for receiving and transmitting messages all of the time, and these functionalities do not need receiving any further enablement tokens or other enabling software.

It is well settled that the anticipation analysis requires a positive answer to the question of whether the game of Meyers would infringe the claims of this application if it were later.

The independent claims of this application are directed to a method, apparatus, software, or system for distributing a recreational application having the following feature:

**"only after the second terminal arrangement has received said proposal, using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess executable software components of said recreational application for setting up a common, shared session and for executing said recreational application on said first and second terminals."**

Since this capability is not present in the system of the reference Meyers, there can be no infringement of the subject claims. Therefore the disclosure of Meyers does not support the rejection based on anticipation with respect to any of the claims.

#### **Issue B**

The Examiner cites the reference Hansted in view of Meyers in support of the rejection based on obviousness. In Hansted, the recreational application is executed in a remote server, and the mobile terminals only act as input/output devices that handle non-executable data: based on how the user interacted with the user interface of the mobile terminal the latter sends an input to the server, which takes it into account in the execution of Hansted's recreational application. When the execution of Hansted's recreational application produces a piece of output, this is conveyed to the mobile terminal which presents it to the

user. The processing and execution of the recreational application occurs at the server. There is no mention of downloading recreational applications to the portable communication unit.

Throughout the reference Hansted, there is described instances where the central data processing unit sends game information (#0041), this includes: next event data (#0042), advertisements (#0043), statistics (#0044), starting point (#0052), other players (#0053), user name and password (#0071), session identifiers (#0079, and other information. There is no mention of the transmission of software components. This is because the recreational application is executable on the central data processing unit.

The Examiner acknowledges that the reference Hansted does not disclose executing the recreational software on the mobile terminals, but nevertheless seeks to combine the disclosure of Hansted with the disclosure of Meyers in order to remedy this deficiency. Applicant submits that this is beyond the scope of 35USC103 because there is nothing in either of the cited references that would motivate a person skilled in the art to make such a combination. The game of the reference Meyers only requires the Short Message Service Center of a wireless communication network. This makes its execution simple and unencumbered. There is, therefore, no reason to utilize any portion of the disclosure of Hansted in Meyers. Conversely the type of games, evidently contemplated in the reference Hansted, require considerably more than the Short Message Service to operate. Such games require the execution on the centralized processing unit. The systems of Hansted and Meyers are not

compatible, even though they may be analogous art.

It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application.

Applicant submits that the above described deficiencies of the references Hansted are not remedied by the proposed combination with the teaching of the reference Meyers. Neither of these references teach the use of a recreational application by downloading executable software or software components to a users mobile terminal. Meyers uses is standard messaging service to create a game in which the sending of a message constitutes the entire game, whereas Hansted teaches using a recreational application available on a central data processor accessible through a web server. The combined references do not therefore support a prima-facie case of obviousness. The modification of the teachings of Hansted or Meyers, in order to obtain the invention, as described in the claims submitted herein, would not have been obvious to one skilled in the art.

The above arguments apply equally to the rejected dependent claims.

In his Response to Arguments, the Examiner describes the basis for his rejection with respect to claim 37, in particular as follows:

"In response, examiner would like to point out that examiner interprets Meyers teaches Signal including virtual ball (proposal) is transmitted from mobile terminal (12-1) to mobile terminal (12-2). Signal indicating that the virtual ball is caught (proposal accept), is transmitted from terminal (12-2) to terminal (12-1). Signal including activation code is transmitted from terminal (12-1) to terminal(12-2). Signal acknowledging the receipt of activation code is transmitted to terminal (12-1) and virtual ball activated using activation code (para. 0008, 00026, fig. 2)."

The Examiner's interpretation is only possible if the "virtual ball" of Meyers is considered to be a software component, but the reference Meyers teaches that the virtual ball is a message, i.e., a simple character string and does not include software in the actual sense of this word.

According to claim 37, it is after the second terminal has received the proposal, that both terminals establish a state wherein both terminals possess enough software components to, upon the receipt of an enabling token, execute software of said recreational application. In the system of Meyers, however, after the second terminal has received the "virtual ball", the first and second terminals do not need to use any of their communicational capabilities to do anything to establish the required state, because the mere reception of the "virtual ball" at the second terminal establishes that state. Transmitting the acknowledgement from the second terminal to the first terminal does not cause any changes to the readiness of the second terminal to execute anything.

Accordingly, Meyers fails to disclose the following claimed feature of claim 37:

"only after the second terminal arrangement has received said

proposal, using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components to, upon the receipt of an enabling token, to execute software of said recreational application" (emphasis added).

Further, with respect to the Examiners responsive arguments regarding claim 1, Applicant submits that neither Hansted nor Meyers suggest passing any executable software components around. Claim 1 requires:

"using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and second terminal arrangement possess executable software components of said recreational application...".

Establishing such a state, means that, at least one of the first and second terminal arrangements is missing some executable software components that must be received. After said establishing, they both have the required software components. Thus the process of establishing must include delivering an executable software component to at least one of said first and second terminal arrangements, or somehow making a previously existing non-executable software component executable.

Neither Hansted nor Meyers suggests delivering any executable software components anywhere, or making a previously non-executable software component executable, to establish any state.

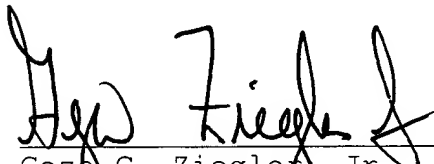
Therefore, the combination of the teachings of the cited references fails to render obvious the above claimed step.

**[8] SUMMARY**

It is respectfully submitted that all of the claims, as presented, are clearly novel and patentable over the prior art of record. Accordingly, the Board of Appeals is respectfully requested to favorably consider the rejected claims and to reverse the final rejections, thereby enabling this application to issue as a U.S. Letters Patent.

A check in the amount of \$500 is enclosed for the Appeal Brief Fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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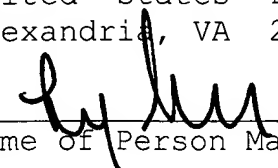
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## **[9] CLAIM APPENDIX**

1. (previously presented) A method for distributing a recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising the steps of:

transmitting from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and

only after the second terminal arrangement has received said proposal, using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess executable software components of said recreational application for setting up a common, shared session and for executing said recreational application on said first and second terminals.

2. (Original) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and

c) as a response to receiving said request in said first terminal arrangement, transmitting said software component from the first terminal arrangement to the second terminal arrangement.

3. (Original) A method according to claim 2, comprising, between steps a) and b), the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

4. (Original) A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through a local communication link.

5. (previously presented) A method according to claim 2, wherein step c) comprises the substep of transmitting said software component from the first terminal arrangement to the second terminal arrangement through the wireless network system.

6. (Original) A method according to claim 2, comprising after step c) the steps of:

- d) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and
- e) after step d), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

7. (Original) A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal arrangement to a recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
- c) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement.

8. (Original) A method according to claim 7, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

9. (original) A method according to claim 7, comprising after step c) the steps of:

d) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

e) after step d), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

10. (Original) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common,

shared session of utilising one of said proposed recreational applications,

- c) as a response to receiving said request in said first terminal arrangement, transmitting a network address of a recreational application server from the first terminal arrangement to the second terminal arrangement,
- d) transmitting from the second terminal arrangement to said recreational application server a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
- e) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the second terminal arrangement.

11. (Original) A method according to claim 10, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

12. (Original) A method according to claim 10, comprising after step e) the steps of:

- f) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and
- g) after step f), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

13. (Original) A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,
- c) as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the second terminal arrangement a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
- d) as a response to receiving said request in said recreational application server, transmitting said software

component from said recreational application server to the second terminal arrangement.

14. (Original) A method according to claim 13, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

15. (Original) A method according to claim 13, comprising after step d) the steps of:

e) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and

f) after step e), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

16. (Original) A method according to claim 1, comprising the steps of:

a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,

- b) transmitting from the second terminal arrangement to the first terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications,
- c) as a response to receiving said request in said first terminal arrangement, transmitting from the first terminal arrangement to a recreational application server a request for downloading into the first terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,
- d) as a response to receiving said request in said recreational application server, transmitting said software component from said recreational application server to the first terminal arrangement and
- e) as a response to receiving said software component, transmitting from the first terminal arrangement to the second terminal arrangement a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications.

17. (Original) A method according to claim 16, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance

concerning one of said number of proposed recreational applications.

18. (Original) A method according to claim 16, comprising after step e), the steps of:

- f) transmitting from the second terminal arrangement to the first terminal arrangement an acknowledgement indicating the reception of said software component and
- g) after step f), indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

19. (Original) A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal identifying a number of proposed recreational applications,
- b) transmitting from the second terminal arrangement to the first terminal arrangement a first acknowledgement indicating agreement to set up a common, shared session of utilising one of said proposed recreational applications,
- c) transmitting from the first terminal arrangement to a recreational application server a first request for obtaining a software component necessary for setting up a

common, shared session of utilising said one of said proposed recreational applications,

- d) transmitting from the second terminal arrangement to a recreational application server a second request for obtaining a software component necessary for setting up a common, shared session of utilising said one of said proposed recreational applications,
- e) as a response to receiving said first request in said recreational application server, transmitting the requested software component from said recreational application server to the first terminal arrangement,
- f) as a response to receiving said second request in said recreational application server, transmitting the requested software component from said recreational application server to the second terminal arrangement and
- g) exchanging a pair of messages between the first and second terminal arrangements indicating the readiness of utilising the recreational application.

20. (original) A method according to claim 19, comprising between steps a) and b) the step of presenting said number of proposed recreational applications to the user of the second terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

21. (Original) A method according to claim 19, comprising after step g) the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

22. (Original) A method according to claim 1, comprising the steps of:

- a) transmitting from the first terminal arrangement to the second terminal arrangement a proposal for setting up a common, shared session of utilising a recreational application,
- b) transmitting from the second terminal arrangement to the first terminal arrangement a proposal identifying a number of proposed recreational applications,
- c) transmitting from the first terminal arrangement to the second terminal arrangement a request for obtaining a software component necessary for setting up a common, shared session of utilising one of said proposed recreational applications and
- d) as a response to receiving said request in said second terminal arrangement, transmitting said software component from the second terminal arrangement to the first terminal arrangement.

23. (Original) A method according to claim 22, comprising between steps b) and c) the step of presenting said number of

proposed recreational applications to the user of the first terminal arrangement, so that step b) is only executed as a response to receiving from said user an indication of acceptance concerning one of said number of proposed recreational applications.

24. (Original) A method according to claim 22, comprising after step d) the step of indicating to the users of the first and second terminal arrangements the readiness of utilising the recreational application.

25. (Original) A method according to claim 1, characterised in that the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal arrangement (1101) to the second terminal arrangement (1102) a complete copy (1105, 1106) of those software components (1103, 1104) which the first terminal uses for setting up a common, shared session of utilising said recreational application.

26. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second

terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of

transmitting from the first terminal arrangement to the second terminal arrangement a limited copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

27. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substep of:

transmitting from the first terminal arrangement to the second terminal arrangement a more advanced copy of those software components which the first terminal uses for setting up a common, shared session of utilising said recreational application.

28. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the

first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the first terminal arrangement to the second terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the second terminal arrangement to a recreational application server, and

transmitting from said recreational application server to the second terminal arrangement a limited copy of software components needed for setting up a common, shared session of utilising said recreational application, said limited copy being only usable for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

29. (Original) A method according to claim 28, comprising the step of imposing a charge to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question.

30. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the

first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal arrangement to a recreational application server, and

transmitting from said recreational application server to the second terminal arrangement a copy of software components needed for setting up a common, shared session of utilising said recreational application.

31. (Original) A method according to claim 30, comprising the step of imposing a charge to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question.

32. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for

setting up a common, shared session of utilising said recreational application comprises the substeps of:

transmitting from the second terminal arrangement to the first terminal arrangement an authenticated offer for setting up a common, shared session of utilising said recreational application,

forwarding said authenticated offer from the first terminal arrangement to a recreational application server together with another authenticated offer from the first terminal arrangement for setting up a common, shared session of utilising said recreational application, and

transmitting from said recreational application server to the terminal arrangements copies of software components needed for setting up a common, shared session of utilising said recreational application.

33. (Original) A method according to claim 32, comprising the step of imposing charges both to the user of the second terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular first terminal arrangement in question and to the user of the first terminal arrangement for setting up a common, shared session of utilising said recreational application together with the particular second terminal arrangement in question.

34. (Original) A method according to claim 1, wherein the step of using the communicational capabilities of at least one of the

first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components for setting up a common, shared session of utilising said recreational application comprises the substeps of:

exchanging information between the first and second terminal arrangements through a short-distance communications connection during said common, shared session of utilising said recreational application, and

after the exchanging of information between the first and second terminal arrangements through said short-distance communications connection becomes impossible, deeming the common, shared session of utilising said recreational application to be ended.

35. (Original) A method according to claim 34, additionally comprising the substep of refraining from other exchange of information between the first and second terminal arrangements through said short-distance communications connection during said common, shared session than such information that is needed to ensure that the short-distance communications connection is still active.

36. (Original) A terminal arrangement comprising a terminal of a wireless network system, comprising

means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and

means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both the terminal arrangement and another terminal arrangement possess enough executable software components of said recreational application for setting up a common, shared session of utilising said recreational application.

37. (previously presented) A method for distributing a recreational application within a group of terminal arrangements, where the group comprises at least two terminal arrangements and each terminal arrangement comprises a terminal of a wireless network system, the method comprising:

- transmitting from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and
- only after the second terminal arrangement has received said proposal, using the communicational capabilities of at least one of the first and second terminal arrangements to establish a state where both the first terminal arrangement and the second terminal arrangement possess enough software components to, upon the receipt of an enabling token, to execute software of said recreational application, said software being available for execution at the first terminal arrangement and the second terminal arrangement, for

setting up a common, shared session utilising said recreational application.

38. (previously presented) A terminal arrangement comprising a terminal of a wireless network\_system, comprising:

- means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and

- means for responding to a situation where such proposals have been exchanged by using its communicational capabilities to establish a state where both it and another terminal arrangement possess enough resident software components of said recreational application for execution at the terminal arrangement and another terminal arrangement, upon the receipt of an enablement token, for setting up a common, shared session and executing said recreational application.

39. (previously presented) A terminal system comprising a first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminal arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and

- in each of said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal

arrangements to establish a state where both of said first and second terminal arrangements possess enough resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

40. (previously presented) A terminal system comprising a first terminal arrangement and a second terminal arrangement, comprising

- in each of said first and second terminal arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and
- in each of said first and second terminal arrangements means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements to establish a state where both of said first and second terminal arrangements possess enough software components to enable resident executable software of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

41. (previously presented) A communications system for distributing a recreational application within a group of terminal arrangements, comprising:

- a first terminal arrangement, a second terminal arrangement and a recreational application server,

- in each of said first and second terminal arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and
- in each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements and said recreational application server to establish a state where both of said first and second terminal arrangements possess resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

42. (previously presented) A communications system for distributing a recreational application within a group of terminal arrangements, comprising:

- a first terminal arrangement, a second terminal arrangement and a recreational application server,
- in each of said first and second terminal arrangements means for exchanging proposals for setting up sessions of utilising a recreational application with other terminal arrangements and
- in each of said first and second terminal arrangements and said recreational application server means for responding to a situation where such proposals have been exchanged by using communicational capabilities of the first and second terminal arrangements and said

recreational application server to establish a state where both of said first and second terminal arrangements possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

43. (previously presented) A computer program product for causing a computer of a terminal of a wireless network system to:

- transmit from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and
- only after the second terminal arrangement has received said proposal, using communicational capabilities of the first terminal arrangement to establish a state where both the first terminal arrangement and the second terminal arrangement possess resident executable software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

44. (previously presented) A computer program product which, upon execution in a computer of a terminal of a wireless network system, produces

- transmitting from a first terminal arrangement to a second terminal arrangement a proposal for setting up a session of utilising a recreational application and

- only after the second terminal arrangement has received said proposal, using communicational capabilities of the first terminal arrangement to establish a state where both the first terminal arrangement and the second terminal arrangement possess resident software components of said recreational application for setting up a common, shared session for executing said recreational application on said first and second terminal arrangements.

**[10] EVIDENCE APPENDIX**

N/A

**[11] RELATED PROCEEDINGS APPENDIX**

N/A